

WEDNESDAY, JANUARY 13, 1993

SECOND ORGANIZATIONAL DAY

The House met at 9:00 a.m. and was called to order by Mr. Speaker Naifeh.

The proceedings were opened with prayer by Rev. Forrest Harris, Pleasant Green Missionary Baptist Church; Faculty, Dr. Kelly Smith Institute at Vanderbilt Divinity School, Nashville, Tennessee.

Representative Love led the House in the Pledge of Allegiance to the Flag.

EXCUSED

The Speaker announced that the following member(s) has/have been excused, pursuant to request(s) under Rule No. 20:

Representative Halteman; personal reasons.

ROLL CALL

The roll call was taken with the following results:

Present . . . . . 97

Representatives present were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Boyer, Bragg, Brooks, Brown, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson Davis, DeBerry, Dixon, Duer, Ferguson, Fisher, Fowlkes, Garrett, Givens, Gunnels, Haley, Hargrove, Hassell, Haun, Head, Herron, Hillis, Huskey, Jackson, Johnson, Jones, R (Shelby), Jones, U (Shelby), Joyce, Kent, Kisber, Knight, Lewis, Liles, Love, McAfee, McDaniel, McKee, Meyer, Miller, Mires, Moore, Napier, Odom, Owenby, Peroulas Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Robinson, Severance, Shirley, Stamps, Stockburger, Stulce, Thompson, Tindell, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 97.

UNFINISHED BUSINESS

RULES SUSPENDED

Rep. Kisber moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 4 out of order, which motion prevailed.

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**\*House Joint Resolution No. 0004 -- General Assembly, Studies --** Continues special joint committee to study tax system authorized by SJRs 334, 75 and 70. by \*Kisber, \*Bragg, \*Purcell, \*Turner B, \*West, \*McDaniel, \*Bittle.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Kisber, the resolution was adopted.

A motion to reconsider was tabled.

**RULES SUSPENDED**

Rep. Purcell moved to suspend Rule No. 50 (72-hour rule) so that congratulatory and memorializing resolutions lying on the desk, filed today, or being transmitted from the Senate today, could be placed on the Consent Calendar for January 14, which motion prevailed.

**ANNOUNCEMENTS**

The Speaker announced that Representative Ridgeway and he were appointed to the Select Committee on Rules.

**INTRODUCTION OF RESOLUTIONS**

Pursuant to Rule No. 17, the following resolution(s) was/were introduced and referred to a special committee consisting of the Speaker and the Majority and Minority Leaders:

**\*House Joint Resolution No. 0002 -- General Assembly, Joint Conventions --** Provides for joint convention to elect secretary of state, comptroller of the treasury and state treasurer. by \*Purcell, \*Bittle.

On motion, the resolution listed was introduced and placed on the Consent Calendar for January 14:

**House Joint Resolution No. 0005 -- Memorials, Professional Achievement --** Joseph Dawson, Distinguished Service Award from Tennessee Hospital Association. by \*Anderson, \*Owenby.

**SENATE JOINT RESOLUTIONS  
(Congratulatory and Memorializing)**

On motion, the resolution listed was placed on the Consent Calendar for January 14:

**Senate Joint Resolution No. 0005 -- Memorials, Public Service --** William (Bill) Carpenter.

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## RESOLUTIONS LYING OVER

### RULES SUSPENDED

Rep. Purcell moved that the rules be suspended for the immediate concurrence in Senate Joint Resolution No. 9 out of order, which motion prevailed.

**\*Senate Joint Resolution No. 0009** -- General Assembly, Joint Conventions -- Provides for joint convention to elect secretary of state, comptroller of the treasury, and state treasurer.

On motion of Rep. Purcell, the resolution was concurred in.

A motion to reconsider was tabled.

### RULES SUSPENDED

Rep. Purcell moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 3 out of order, which motion prevailed.

**\*House Joint Resolution No. 0003** -- General Assembly, Adjournment, Recess -- Provides for adjournment of organizational session on January 14, 1993; convenes regular session on January 14, 1993; and recesses regular session until February 1, 1993 at 5:00 p.m. (CST). by \*Purcell, \*Bittle.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Purcell, the resolution was adopted.

A motion to reconsider was tabled.

## INTRODUCTION OF BILLS

On motion, the following bills were introduced and passed first consideration:

**\*House Bill No. 0014** -- Banks and Financial Institutions -- Revises definitions under Financial Records Privacy Act; deletes local governments from governmental entities to whom information may be provided pursuant to certain process or requests. Amends TCA, Title 45, Ch. 10. by \*Rhinehart.

**\*House Bill No. 0015** -- Judges and Chancellors -- Creates additional position of judge in sixteenth judicial position; provides procedure for election of judges until 1998. Amends TCA, Title 16, Ch. 2, Pt. 5. by \*Bragg.

**\*House Bill No. 0016** -- Taxes, Sales -- Exempts periodicals

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printed entirely on newsprint or bond paper and distributed on biweekly or more frequent basis from sales and use tax. Amends TCA 67-6-329. by \*Givens.

**House Bill No. 0017 -- Sentencing --** Allows court to sentence offenders to perform public service work for municipalities; grants municipalities exercising due care immunity from liability for injuries or damage occurring during such public service work. Amends TCA, Title 41, Ch. 3, Pt. 1. by \*Phillips.

**\*House Bill No. 0018 -- Education --** Requires commissioner of education to provide additional funding for capital outlay to public schools experiencing more than 20 percent enrollment growth in three year period. Amends TCA, Title 49, Ch. 3. by \*Phillips.

### **HOUSE BILLS ON SECOND CONSIDERATION**

On motion, bills listed below passed second consideration and were held on the Clerk's desk pending approval of the local delegation or held for appointment of the appropriate standing committees:

**\*House Bill No. 0001 -- Criminal Offenses**

**House Bill No. 0002 -- Bond Issues**

**House Bill No. 0003 -- Bedford County --** Held on the Clerk's desk pending approval of the local delegation.

**\*House Bill No. 0004 -- Annexation**

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**House Bill No. 0006 -- Statutes**

**\*House Bill No. 0007 -- Criminal Offenses**

**\*House Bill No. 0008 -- Birth Control**

**\*House Bill No. 0009 -- Historical Commission**

**\*House Bill No. 0010 -- Highways, Roads and Bridges**

**\*House Bill No. 0011 -- Hotels and Restaurants**

**\*House Bill No. 0012 -- Museums**

**\*House Bill No. 0013 -- Drainage, Levee Districts**

### **MESSAGE FROM THE SENATE**

**January 13, 1993**

**MR. SPEAKER:** I am directed to transmit to the House, Senate

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Joint Resolution(s) No(s). 12; for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

**ENGROSSED BILLS**  
**January 13, 1993**

The following bills have been examined, engrossed, and are ready for transmission to the Senate: House Joint Resolution(s) No(s). 3 and 4.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**SIGNED**  
**January 13, 1993**

The Speaker announced that he had signed the following: Senate Joint Resolution(s) No(s). 12.

**ROLL CALL**

The roll call was taken with the following results:

Present . . . . . 98

Representatives present were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Boyer, Bragg, Brooks, Brown, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson Davis, DeBerry, Dixon, Duer, Ferguson, Fisher, Fowlkes, Garrett, Givens, Gunnels, Haley, Hargrove, Hassell, Haun, Head, Herron, Hillis, Huskey, Jackson, Johnson, Jones, R (Shelby), Jones, U (Shelby), Joyce, Kent, Kernell, Kisber, Knight, Lewis, Liles, Love, McAfee, McDaniel, McKee, Meyer, Miller, Mires, Moore, Napier, Odom, Owenby, Peroulas Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Robinson, Severance, Shirley, Stamps, Stockburger, Stulce, Thompson, Tindell, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 98.

**MOTION TO RECESS**

Pursuant to Senate Joint Resolution No. 9, Representative Purcell moved that the House stand in recess to meet with the Senate in Joint Convention for the purpose of electing the Constitutional Officers; and that at the conclusion of the Joint Convention, the House adjourn until 9:00 a.m., Thursday, January 14, 1993, which motion prevailed.